

### **REMARKS**

This Response to Office Action, which is filed with an accompanying REQUEST FOR CONTINUED PROSECUTION, is responsive to the Office Action dated June 13, 2006. This Response and the accompanying REQUEST FOR CONTINUED PROSECUTION are filed within six months of the mailing date of the FINAL REJECTION.

Applicant thanks the Examiner for the careful review of this application. Claims 1 and 22 were amended to clarify the claimed embodiments. Claim 14 was cancelled in a previous amendment without prejudice. No new matter was added. Therefore, claims 1-13 and 15-22 remain pending in this application.

### **REJECTIONS UNDER 35 U.S.C. § 102(e)**

Claims 1-13 and 15-22 were rejected under 35 U.S.C. § 102(e) as being anticipated by United States Patent Application Publication No. 2002-0010798 to Ben-Shaul et al. (hereinafter "Ben-Shaul").

Applicant respectfully traverses for the following reasons.

### **PRIOR ART**

Be-Shaul apparently discloses a technique for centralized and differentiated content and application delivery that allows content providers to directly control the delivery of content based on regional and temporal preferences, client identity and content priority. [Ben-Shaul, Abstract] The technique involves a content and application delivery system having an origin web site which has an origin web server. The system also includes a policy control server and an edge server. The edge server communicates with both the origin web server and the policy control server. The edge server stores a second version of web content that is derived from the origin web server according to directives of a service policy. The service policy resides at the policy control server and the edge server downloads the service policy via a data network. When a user requests content from the origin web site, the request is redirected to the edge server. A third version of the web content is provided to the user from the edge server. The third version is derived from the second version in accordance with the directives of the downloaded service policy. [Ben-Shaul, 0072]

## **PRIOR ART DISTINGUISHED**

As discussed above, the edge server in Ben-Shaul downloads a service policy from a remote policy control server in order to deliver content. In marked contrast, the claimed embodiment utilizes a storage device that is local to the edge server and locally stored metadata to deliver content. Further, content delivery is controlled by the edge server itself with a local controller that distributes content objects to a user based on locally stored metadata. Therefore, Ben-Shaul does not anticipate the claimed embodiment because Ben-Shaul does not teach each and every element in the independent claims.

In addition, the applicant respectfully renews and incorporates by reference the arguments submitted in the Response to Office Action mailed on September 15, 2005. Specifically, the applicant argues that the edge server disclosed in the claimed embodiment delivers content to users using metadata that is stored in a local storage device coupled to the edge server itself. In response to the examiner's comment that "claim 1 and 22 do not recite 'metadata that is stored in a local storage device,'" Claim 1 and Claim 22 have been amended without prejudice to indicate that metadata is stored locally. Thus, a withdrawal of the rejection is respectfully requested.

In contrast to Ben-Shaul, amended Claims 1 and 22 contains the language "a local storage device coupled to said server and locally storing metadata" and "a local controller for distributing said content object." As discussed above, Ben-Shaul teaches that the edge server downloads a service policy from a remote policy control server in order to deliver content. Thus, Ben-Shaul does not teach "a local storage device coupled to said server and locally storing metadata" nor "a local controller for distributing said content object." As such, Ben-Shaul does not anticipate Claims 1 and 22 because Ben-Shaul does not teach each and every element of Claims 1 and 22. For at least these reasons, independent Claims 1 and 22 are allowable over the teachings of Ben-Shaul.

Claims 2-13 and 14-21 are either directly or indirectly dependent on the independent Claim 1. As described above, the independent Claim 1 is allowable over the teachings of Ben-Shaul. Accordingly, Claims 2-13 and 14-21 are also at least allowable as being dependent on an allowable claim.

In view of the foregoing, Applicant respectfully submits that the cited prior art, alone or in combination, does not disclose the claimed embodiments. Therefore, withdrawal of the rejections of the claims is respectfully requested.


Appl. No. 10/090,709  
Final Office Action dated 06/13/2006  
Response to Final Office Action dated 09/11/2006

**CONCLUSION**

Applicant believes that all pending claims are allowable and a Notice of Allowance is respectfully requested. The amendment was made to expedite the prosecution of this application. Applicant respectfully traverses the rejections of the amended claims and reserves the right to re-introduce them and claims of an equivalent scope in a continuation application.

If the Examiner believes that a conference would be of value in expediting the prosecution of this application, he is cordially invited to telephone the undersigned counsel at the number set out below.

Respectfully submitted,  
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